



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	04/03/07	AGENDA REQUEST NO:	V C
INITIATED BY:	DOUGLAS P. SCHOMBURG, AICP ASST. PLANNING DIRECTOR <i>Douglas P. Schomburg</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	DOUGLAS P. SCHOMBURG, AICP	DEPARTMENT HEAD:	SABINE SOMERS-KUENZEL, AICP DIRECTOR OF PLANNING <i>AS</i>
		ADDITIONAL DEPARTMENT. HEAD (S):	N/A
SUBJECT / PROCEEDING:	REZONING FROM BUSINESS OFFICE (B-O) TO RESTRICTED INDUSTRIAL (M-1) FOR THE PUBLIC WORKS AND UTILITIES FACILITY PROPERTY AT 111 GILLINGHAM LANE PUBLIC HEARING; FIRST READING OF ORDINANCE NO. 1610		
EXHIBITS:	SUPPLEMENTAL MATERIALS, VICINITY MAP, ZONING MAP, ORDINANCE NO. 1610, APPLICATION MATERIALS, HEARING NOTICE		
CLEARANCES		APPROVAL	
LEGAL:	MEREDITH WILGANOWSKI, <i>MW</i> ASST. CITY ATTORNEY	EXECUTIVE DIRECTOR:	JIM CALLAWAY <i>Jim Callaway</i> COMMUNITY DEVELOPMENT
PURCHASING:	N/A	ASST. CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>Allen Bogard</i>
BUDGET			
EXPENDITURE REQUIRED: \$		N/A	
AMOUNT BUDGETED/REALLOCATION: \$		N/A	
ADDITIONAL APPROPRIATION: \$		N/A	
RECOMMENDED ACTION			
The Planning and Zoning Commission unanimously recommend approval of the rezoning under Ordinance No. 1610 to Restricted Industrial (M-1).			

EXECUTIVE SUMMARY

This is a city-initiated request to rezone the City of Sugar Land Public Works and Utilities Department property, consisting of 13.45 acres, from Business Office (B-O) zoning to Restricted Industrial (M-1). The site is located at the northwest intersection of US 90A and Gillingham Lane. Although the City of Sugar Land is exempt from Chapter Two (Zoning), this rezoning will better reflect existing and future uses for the site. This is also part of an overall effort directed to staff by the City Manager to comply with our own regulations for facilities and properties. The uses at the site are not well suited for a Business Office (B-O) District as described in Chapter Two, Article II of the Development Code. In addition, the property abuts a large area of M-1 zoning to the immediate east, which includes the Schlumberger facility adjacent to Gillingham Lane and US 90A. This request is not in conflict with the City of Sugar Land Comprehensive Plan or any other City Master Plans. This rezoning received a unanimous recommendation of approval from the Planning and Zoning Commission on February 22, 2007 and there has been no opposition detected. Additional information is included in the attachments. A Public Hearing is required prior to action.

EXHIBITS

DETAILED INFORMATION

GENERAL SITE INFORMATION AND ANALYSIS:

Compliance with Comprehensive Plan	This proposal is not in conflict with the Comprehensive Plan.
Compliance with General Plan	There are no General Plans for this site. This request is not in conflict with facilities plans for the City.
Subject Property	Business Office (B-O) District
Surrounding Zoning	North: Business Office (B-O) South: Residential Estate (R-1E) across US 90A East: Restricted Industrial (M-1) West: Business Office (B-O)
Surrounding Land Use	North: Undeveloped portion of Church property South: US 90A and Union Pacific Railroad ROW East: Schlumberger Corporation Headquarters West: Undeveloped land

On November 16, 2004, City Council adopted the revised Land Use Plan portion of the City's Comprehensive Plan under Ordinance No. 1468. The Land Use Plan serves as a guide for recommendations of permanent zoning for annexed properties and rezoning of existing properties within the City. The 13.46 acres owned by the City and used for the Public Works and Utilities Departments was shown as "Public Use" on the adopted Land Use Plan. The proposed rezoning is not in conflict with the plan.

PUBLIC HEARING:

Notice of the Public Hearing was published in a newspaper of general circulation as required by state law. All property owners and potentially affected interests within 200 feet of the proposed site, were notified. Notice of the Public Hearing was posted on the City of Sugar Land's Internet home page and a courtesy notification sign was placed on the property. At the time of writing this report there has been one inquiry, which was informational in nature only.

PLANNING AND ZONING COMMISSION:

This item was reviewed in a Public Hearing at the Planning and Zoning Commission Meeting on February 13, 2007 where staff presented an overview of the item. There were no issues. The item was unanimously recommended for approval to the Mayor and Council at the February 22, 2007 Commission meeting. At the meeting, Councilmember Russell Jones discussed the item in a positive manner during the Council Liaison Report. He indicated that it reflected the desire of the City to apply development requirements on City properties.

POINTS FOR CONSIDERATION:

Request for Restricted Industrial (M-1) is:

- Not in conflict with the City of Sugar Land Comprehensive Plan
- Not in conflict with the City Master Plans

File No. P0007417

Vicinity Map:

111 Gillingham Ln.

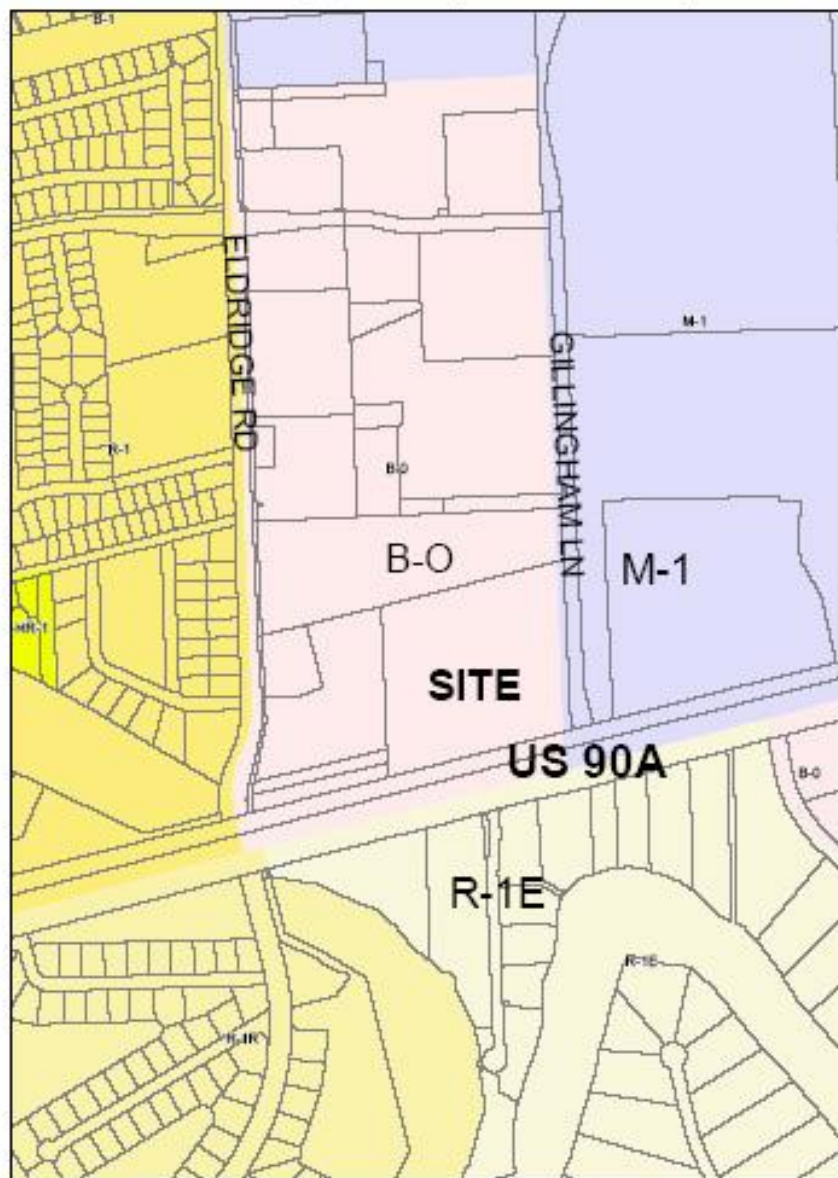


1,000

Feet



Zoning Map Excerpt



ORDINANCE NO. 1610

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM BUSINESS OFFICE ZONING DISTRICT (B-O) TO RESTRICTED INDUSTRIAL ZONING DISTRICT (M-1) FOR APPROXIMATELY 13.45 ACRES OF LAND LOCATED AT 111 GILLINGHAM LANE.

WHEREAS, the City of Sugar Land has applied for a change in zoning from Business Office (B-O) zoning district to Restricted Industrial (M-1) zoning district classification for approximately 13.45 acres of land located at 111 Gillingham Lane; and

WHEREAS, the Planning and Zoning Commission recommends approval of the zoning change; and

WHEREAS, the City Council has held a public hearing on the proposed amendment for which notice was published at least fifteen days prior to the hearing date;

WHEREAS, the City Council finds that the zoning change complies with the City's comprehensive plan; NOW, THEREFORE;

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That the zoning district classification of approximately 13.45 acres of land described in Exhibit A, attached to and incorporated into this ordinance by reference, is changed from zoning district classification Business Office (B-O) to zoning district classification Restricted Industrial (M-1) under the comprehensive zoning ordinance of the City of Sugar Land, Texas.

Section 2. That the City's official zoning map is amended to show the change in zoning district classification.

APPROVED on first consideration on _____, 2007.

ADOPTED upon second consideration on _____, 2007.

David G. Wallace, Mayor

ATTEST:

Glenda Gundermann, City Secretary
Reviewed for Legal Compliance:

Meredith Wilganski

Exhibit A - Metes and Bounds

Fieldnotes for 13.4576 acres of land out of the George Brown and Charles Belknap Survey, Abstract No. 15, in the City of Sugar Land, Fort Bend County, Texas, being the tract of land conveyed to the City of Sugar Land as described in deed recorded in Volume 908, Page 532 of the Official Records of Fort Bend County, said 13.4576 acres of land being more particularly described by metes and bounds as follows:

COMMENCING at a found 2 inch iron pipe marking the Northwest corner of said 13.4576 acre and the herein described tract; said 2 inch iron pipe marking the Northeast corner of a called 8.003 acre tract of land (Reserve "A") of Joshua Fellowship Church, a subdivision located in Fort Bend County, Texas;

THENCE South 2 degrees 14 minutes 58 seconds East along the West line of the said 13.4576 acre tract and the common East line of said called Reserve "A", a distance of 773.608 feet to a point marking the Southwest corner of the said 13.4576 acre tract; said point also being the North line of the G.H. & S.A. Railroad, based on 100.00 foot right-of-way;

THENCE North 75 degrees 19 minutes 8 seconds East along the common Northerly line of said G.H. & S.A. Railroad, a distance of 868.825 feet to a point marking the Southeast corner of the said 13.4576 acre tract; said point being adjacent to the Westerly right-of-way of Gillingham Lane;

THENCE North 15 degrees 56 minutes 43 seconds West along the Easterly line of said 13.4576 tract and the common Westerly line of said Gillingham Lane, a distance of 57.037 feet for an angle point;

THENCE North 2 degrees 26 minutes 17 seconds West along the Easterly line of said 13.4576 acre tract and the common Westerly line of said Gillingham Lane, a distance of 705.517 feet to a point marking the Northeast corner of the herein described tract; said point being the Southeast corner of that certain 11.826 acre tract of land conveyed to Michael Reginald Wirtz and Judy Ann Wirtz Hinton as described in instrument recorded in Volume 2289, Page 1635 of the Official Records of Fort Bend County;

THENCE South 82 degrees 43 minutes 30 seconds West along the Northerly line of the herein described 13.4576 acre tract and the common Southerly line of called 11.826 acre tract of land, a distance of 36.295 feet for an angle point;

THENCE South 74 degrees 29 minutes 1 second West, a distance of 814.524 feet to the **Point of Beginning** containing 13.4576 acres (568,214 square feet) of land.

Application:



**Planning Department
CONDITIONAL USE PERMIT OR REZONING APPLICATION**

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

Applicant

Contact City of Sugar Land (City Representative- Karen Glynn)
Address 2700 Town Center Blvd North; Sugar Land, TX; 77479
Phone 281-275-2342 Fax 281-275-2289

Owner

Contact City of Sugar Land (City Representative- Karen Glynn)
Address 2700 Town Center Blvd North; Sugar Land, TX; 77479
Phone 281-275-2342 Fax 281-275-2289
Email kglynn@sugarlandtx.gov

Property Legal Description _____ See Attached

Lot _____ Block _____ Subdivision _____

Current Zoning District B-O Proposed Zoning District, if applicable M-1

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) N/A

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. **This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.**

Signature of Applicant

Date

Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☐ Three (3) copies of the completed application
- ☐ Check for \$1,000.00 (non-refundable) \$400 if CUP is in Mixed Use Conservation (MUC) District
- ☐ Metes and bounds of the site or county slide number of plat, if recorded
- ☐ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☐ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☐ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

Applicant Correspondence:



**CITY OF SUGAR LAND
PUBLIC WORKS & UTILITIES**

November 29, 2006

Planning Department
City of Sugar Land
Attention: Development Review Coordinator
2700 Town Center Boulevard North
Sugar Land, Texas 77479

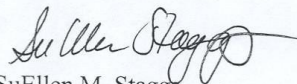
RE: Rezone Request for the City of Sugar Land's Public Works and Utilities Site

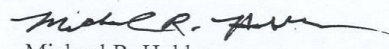
To Whom it May Concern:

On behalf of the City of Sugar Land, we would like to request that the 13.4576-acre Public Works and Utilities site, located at 111 Gillingham Lane, be rezoned from BO to M-1. An M-1 zoning would be more appropriate and consistent with the current uses of the site. Currently, the site is home to the Public Works and Utilities offices and the City's Animal Control facilities, in addition to the City's maintenance facility, which also houses fleet operations, heavy equipment storage, and bulk material storage such as gravel and bank sand.

Thank you for your consideration of this rezoning request. Please do not hesitate to contact us if you have any further questions or concerns.

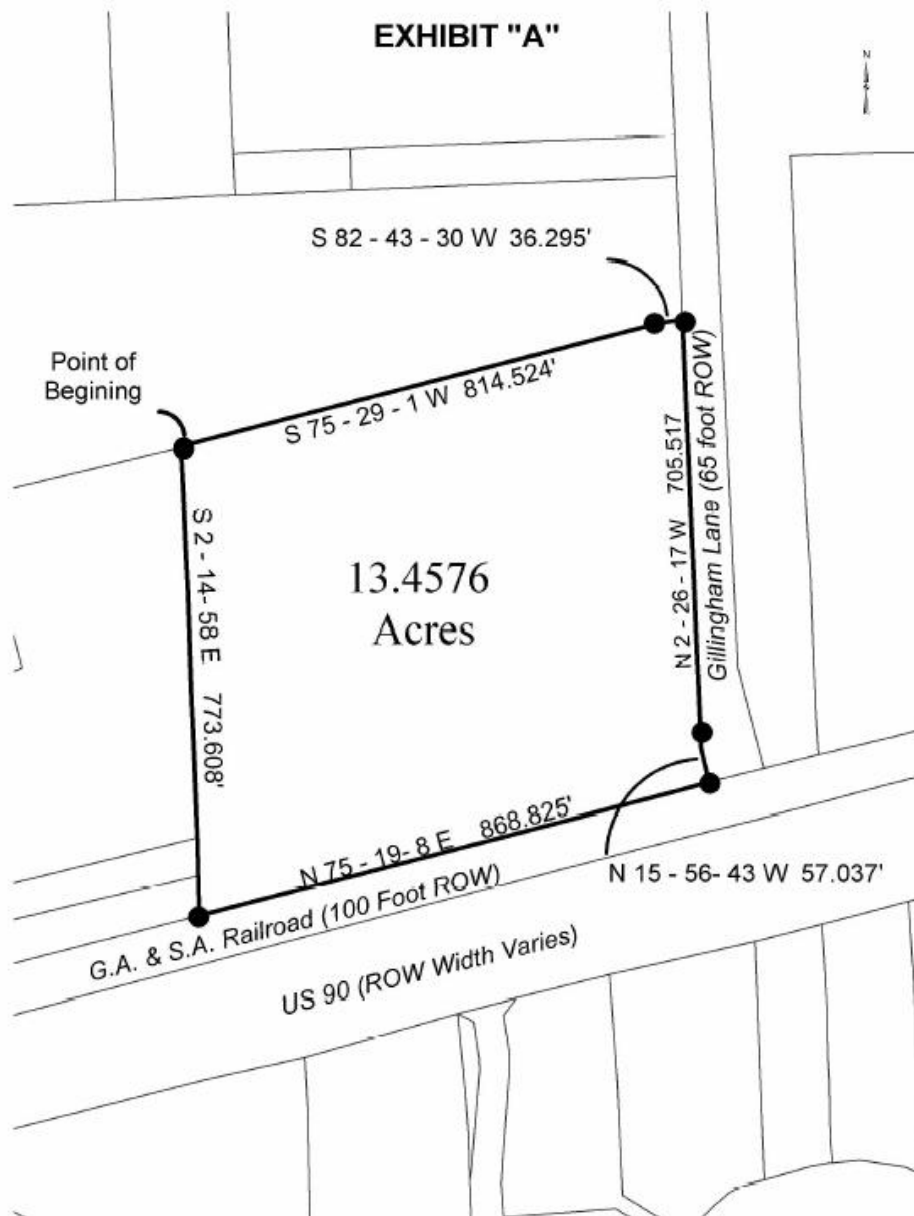
Sincerely,


SuEllen M. Staggs
Director of Utilities


Michael R. Hobbs
Director of Public Works

cc: Karen Glynn, Assistant City Manager

Exhibit:



Public Hearing Notice:

NOTICE OF PUBLIC HEARING

REZONING OF APPROXIMATELY 13.45 ACRES OF LAND AT 111 GILLINGHAM LANE FROM BUSINESS OFFICE (B-O) ZONING DISTRICT TO RESTRICTED INDUSTRIAL (M-1) DISTRICT LOCATED IN THE BROWN AND BELKNAP LEAGUE, ABSTRACT 15, FORT BEND COUNTY, TEXAS,), FURTHER DESCRIBED AS AT THE NORTHWEST INTERSECTION OF US90A AND GILLINGHAM LANE, ALSO KNOWN AS CITY OF SUGAR LAND FACILITIES (PUBLIC WORKS AND UTILITIES DEPARTMENTS) AND AS SHOWN ON THE ATTACHED MAP.

PURPOSE: One (1) public hearing shall be held at which all persons interested in the proposed Rezoning shall be given an opportunity to be heard.

**WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
CITY HALL
2700 TOWN CENTER BOULEVARD NORTH
SUGAR LAND, TEXAS**

**WHEN: CITY OF SUGAR LAND
CITY COUNCIL MEETING
6:00 P.M., APRIL 3, 2007**

DETAILS OF THE PROPOSED REZONING REQUEST MAY BE OBTAINED FROM THE PLANNING OFFICE, CITY HALL, CITY OF SUGAR LAND, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS, MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M. OR YOU MAY CALL (281) 275-2218 FOR ADDITIONAL INFORMATION.